

Express Mail No. E1125454172US
293/008 Cont. 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas J. Bachinski et al.
Application No.: Not Yet Available
Filed : Concurrently Herewith
For : MEDICAL GRAFTING CONNECTORS AND
FASTENERS
Group Art Unit : Not Yet Available
Examiner : Not yet assigned

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.56 and 1.97,
applicants wish to call the attention of the Examiner to
the following documents:

U.S. Patent Documents

Razgulov et al.	3,908,662	(09/30/75)
Sakura, Jr.	4,214,587	(07/29/80)
Kaster	4,366,819	(01/04/83)
Kaster	4,368,736	(01/18/83)
Dotter	4,503,569	(03/12/85)
Gupte et al.	4,592,754	(06/03/86)
Kornberg	4,617,932	(10/21/86)
Jervis	4,665,906	(05/19/87)
Anderson	4,696,300	(09/29/87)
Lazarus	4,787,899	(11/29/88)
Shiber	5,041,082	(08/20/91)
Lazarus	5,104,399	(04/14/92)
Citron	5,135,467	(08/04/92)
Trout, III	5,207,695	(05/04/93)
Clouse	5,211,658	(05/18/93)
Maginot	5,211,683	(05/18/93)
Kaster et al.	5,234,447	(08/10/93)
Miller et al.	5,250,058	(10/05/93)

U.S. Patent Documents cont'd

Lazarus et al.	5,275,622	(01/04/94)
Maginot	5,304,220	(04/19/94)
Palmaz et al.	5,316,023	(05/31/94)
Kelman et al.	5,354,336	(10/11/94)
Kaster et al.	5,366,462	(11/22/94)
Chuter	5,387,235	(02/07/95)
Lazarus	5,397,345	(03/14/95)
Marin et al.	5,397,355	(03/14/95)
Venbrux	5,443,497	(08/22/95)
Sterman et al.	5,452,733	(09/26/95)
Maginot	5,456,712	(10/10/95)
Schenck	5,486,187	(01/23/96)
Piplani et al.	5,489,295	(02/06/96)
Marin et al.	5,507,769	(04/16/96)
Barone et al.	5,522,880	(06/04/96)
Stevens	5,545,214	(08/13/96)
Lazarus et al.	5,562,728	(10/08/96)
Gordon	5,575,800	(11/19/96)
Kim	5,676,670	(10/14/97)
Cope et al.	5,690,656	(11/25/97)
Gifford, III et al.	5,695,504	(12/09/97)
Popov et al.	5,702,412	(12/30/97)
Daugherty et al.	5,733,308	(03/31/98)
Snow et al.	5,797,933	(08/25/98)
Barra et al.	5,814,005	(09/29/98)
Riza	5,817,111	(10/06/98)
Gifford, III et al.	5,817,113	(10/06/98)
Frantzen et al.	5,843,164	(12/01/98)
Ahn	5,843,170	(12/01/98)
Frantzen	5,843,175	(12/01/98)
Weier	5,843,176	(12/01/98)
LeMole	5,893,369	(04/13/99)
Goldsteen et al.	5,931,842	(08/03/99)
Goldsteen et al.	5,941,908	(08/24/99)
Quiachon et al.	5,957,973	(09/28/99)
Berg et al.	5,972,017	(10/26/99)
Bolduc et al.	5,976,159	(11/02/99)
Goldsteen et al.	5,976,178	(11/02/99)
Rygaard	5,993,468	(11/30/99)
Bachinski	6,001,124	(12/14/99)
Lenker et al.	6,024,763	(02/15/00)
Bachinski et al.	6,036,702	(03/14/00)
Berg et al.	6,068,654	(05/30/00)
Berg et al.	6,074,416	(06/13/00)
Swanson et al.	6,113,612	(09/05/00)
Sullivan et al.	6,120,432	(09/19/00)
Goldsteen et al.	6,136,007	(10/24/00)
Peterson et al.	6,152,937	(11/28/00)
Bachinski et al.	6,152,945	(11/28/00)
Bolduc et al.	6,193,734	(02/27/01)

U.S. Patent Documents cont'd

Goldsteen et al.	6,206,912	(03/27/01)
Berg et al.	6,235,054	(05/22/01)
Berg et al.	6,293,965	(09/25/01)
Goldsteen et al.	6,302,905	(10/16/01)
Swanson et al.	6,309,416	(10/30/01)
Berg et al.	6,391,036	(05/21/02)
Swanson et al.	6,440,163	(08/27/02)
Berg et al.	6,451,033	(09/17/02)
Berg et al.	6,451,048	(09/17/02)
Berg et al.	6,475,222	(11/05/02)
Berg et al.	6,508,252	(01/21/03)
Peterson et al.	6,508,822	(01/21/03)
Grudem et al.	6,511,491	(01/28/03)
Sullivan et al.	6,514,196	(02/04/03)
Swanson et al.	6,533,812	(03/18/03)
Peterson et al.	6,599,303	(07/29/03)
Swanson et al.	6,602,263	(08/05/03)

U.S. Patent Application Documents

Berg et al.	09/569,607	(05/10/00)
Logan et al.	09/587,112	(06/02/00)
Peterson et al.	09/665,440	(09/19/00)
Galdonik et al.	09/693,578	(10/20/00)
Berg	09/860,847	(05/18/01)
Galdonik et al.	10/345,470	(01/15/03)

U.S. Patent Application Publications

Bachinski et al.	2001/0010006 A1	(07/26/01)
Sullivan et al.	2002/0087046 A1	(07/04/02)
Goldsteen et al.	2002/0087181 A1	(07/04/02)
Galdonik et al.	2002/0091398 A1	(07/11/02)
Berg et al.	2002/0108621 A1	(08/15/02)
Peterson et al.	2002/0169466 A1	(11/14/02)
Swanson et al.	2002/0183769 A1	(12/05/02)
Berg et al.	2002/0151913 A1	(10/17/02)
Berg et al.	2002/0188302 A1	(12/12/02)
Grudem et al.	2003/0083679 A1	(05/01/03)
Galdonik et al.	2003/0109887 A1	(06/12/03)

Foreign Patent Documents

AU	AU 670,239 B2	(01/06/94)
EPO	EP 0 539 237 A1	(04/28/93)
EPO	EP 0 637 454 A1	(02/08/95)
EPO	EP 0 680 734 A2	(11/08/95)
EPO	EP 0 684 022 A2	(11/29/95)
EPO	EP 0 701 800 A1	(03/20/96)
EPO	EP 0 712 614 A1	(05/22/96)

Foreign Patent Documents cont'd

GB	GB 489 316 A	(07/25/38)
GB	GB 2 269 104 A	(02/02/94)
PCT	WO 89/08433 A1	(09/21/89)
PCT	WO 93/00868 A1	(01/21/93)
PCT	WO 93/20757 A2	(10/28/93)
PCT	WO 94/01056 A1	(01/20/94)
PCT	WO 95/14442 A1	(06/01/95)
PCT	WO 95/21592 A1	(08/17/95)
PCT	WO 96/14808 A1	(05/23/96)
PCT	WO 96/18361 A1	(06/20/96)
PCT	WO 96/22745 A1	(08/01/96)
PCT	WO 96/25897 A2	(08/29/96)
PCT	WO 97/13463 A1	(04/17/97)
PCT	WO 97/13471 A1	(04/17/97)
PCT	WO 99/62408	(12/09/99)
PCT	WO 99/62415	(12/09/99)
PCT	WO 00/56223	(09/28/00)
PCT	WO 00/56226	(09/28/00)
PCT	WO 00/56227	(09/28/00)
PCT	WO 00/56228	(09/28/00)
PCT	WO 01/41623	(06/14/01)
PCT	WO 01/41624	(06/14/01)
PCT	WO 01/70090	(09/27/01)
PCT	WO 01/70091	(09/27/01)
PCT	WO 01/70118	(09/27/01)
PCT	WO 01/70119	(09/27/01)
PCT	WO 02/30172	(04/18/02)

All but two of the aforementioned references, which are listed on the accompanying Form PTO-1449 (submitted in duplicate), were either cited by or submitted to the U.S. Patent and Trademark Office in Application No. 09/406,575, filed September 24, 1999, from which the present application claims priority under 35 U.S.C. § 120. Accordingly, pursuant to 37 C.F.R. § 1.98(d), only copies of the two newly cited references accompany this Information Disclosure Statement.

Some of the documents listed in this Statement were first cited by a foreign patent office in an

application of another from which claims are being copied into this application (see the "Notification Pursuant To 37 C.F.R. § 1.604(b) Identifying A Published Patent Application From Which Claims Have Been Copied," filed concurrently herewith). The following identifies each application from which claims have been copied into this application. For each application from which claims have been copied, the following further identifies the references in the International Search Report (if published and therefore available to the under-signed agent) that are associated with the claims that have been copied. A copy of the available International Search Report is also enclosed herewith.

<u>WO 03/026475</u>	
Gordon	5,575,800
Riza	5,817,111

Applicants respectfully request that these documents be (1) considered by the Examiner prior to issuance of the patent; and (2) printed on any patent that may issue from this application. Applicants also request that a copy of enclosed Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

The unpublished U.S. patent application documents have not been listed on accompanying Form PTO-1449 to prevent their Application Nos. from being printed on the face of any patent issuing from this application.

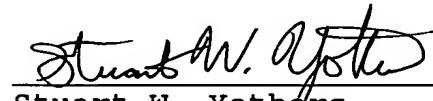
Applicants respectfully request that the Examiner sign the statement "All references have been considered" on the bottom of the enclosed Form PTO-1449 to indicate that the patent applications were considered (See MPEP § 609(c)).

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This Information Disclosure Statement is being transmitted within three months of the application filing date. In accordance with 37 C.F.R. §1.97, submission of this Statement requires no fee. However, if for any reason a fee is due, the Director is hereby authorized to charge payment of any fees required in connection with this Information Disclosure Statement to Deposit Account No. 06-1075. A duplicate copy of this Information Disclosure Statement is transmitted herewith.

Consideration of the foregoing in relation to
this patent application is respectfully requested.

Respectfully submitted,



Stuart W. Yother
Registration No. 53,816
Agent for Applicants
FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 293/008 Cont. 5	APPLICATION NO. Not yet available
		APPLICANTS Thomas J. Bachinski et al.	CONFIRMATION NO. Not yet available
		FILING DATE Concurrently Herewith	GROUP ART UNIT Not yet available

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,908,662	09/30/75	Razgulov et al.	128	334 R	
	4,214,587	07/29/80	Sakura, Jr.	128	334 R	
	4,366,819	01/04/83	Kaster	128	334 C	
	4,368,736	01/18/83	Kaster	128	334 C	
	4,503,569	03/12/85	Dotter	3	1.4	
	4,592,754	06/03/86	Gupte et al.	623	1	
	4,617,932	10/21/86	Kornberg	128	334 R	
	4,665,906	05/19/87	Jervis	128	92 YN	
	4,696,300	09/29/87	Anderson	128	334 R	
	4,787,899	11/29/88	Lazarus	623	1	
	5,041,082	08/20/91	Shiber	604	22	
	5,104,399	04/14/92	Lazarus	623	1	
	5,135,467	08/04/92	Citron	600	16	
	5,207,695	05/04/93	Trout, III	606	153	
	5,211,658	05/18/93	Clouse	623	1	
	5,211,683	05/18/93	Maginot	128	898	
	5,234,447	08/10/93	Kaster et al.	606	153	
	5,250,058	10/05/93	Miller et al.	606	154	
	5,275,622	01/04/94	Lazarus et al.	623	1	
	5,304,220	04/19/94	Maginot	623	1	
	5,316,023	05/31/94	Palmaz et al.	128	898	
	5,354,336	10/11/94	Kelman et al.	623	6	
	5,366,462	11/22/94	Kaster et al.	606	153	
	5,387,235	02/07/95	Chuter	623	1	
	5,397,345	03/14/95	Lazarus	623	1	
	5,397,355	03/14/95	Marin et al.	623	12	
	5,443,497	08/22/95	Venbrux	623	1	
	5,452,733	09/26/95	Sterman et al.	128	898	
	5,456,712	10/10/95	Maginot	623	1	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicants.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	ATTY. DOCKET NO. 293/008 Cont. 5		APPLICATION NO. Not yet available
	APPLICANTS Thomas J. Bachinski et al.		CONFIRMATION NO. Not yet available
	FILING DATE Concurrently Herewith		GROUP ART UNIT Not yet available

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,486,187	01/23/96	Schenck	606	153	
	5,489,295	02/06/96	Piplani et al.	623	1	
	5,507,769	04/16/96	Marin et al.	606	198	
	5,522,880	06/04/96	Barone et al.	623	1	
	5,545,214	08/13/96	Stevens	623	2	
	5,562,728	10/08/96	Lazarus et al.	623	1	
	5,575,800	11/19/96	Gordon	606	144	
	5,676,670	10/14/97	Kim	606	108	
	5,690,656	11/25/97	Cope et al.	606	153	
	5,695,504	12/09/97	Gifford, III et al.	606	153	
	5,702,412	12/30/97	Popov et al.	606	159	
	5,733,308	03/31/98	Daugherty et al.	606	232	
	5,797,933	08/25/98	Snow et al.	606	151	
	5,814,005	09/29/98	Barra et al.	604	8	
	5,817,111	10/06/98	Riza	606	148	
	5,817,113	10/06/98	Gifford, III et al.	606	153	
	5,843,164	12/01/98	Frantzen et al.	623	1	
	5,843,170	12/01/98	Ahn	623	1	
	5,843,175	12/01/98	Frantzen	623	1	
	5,843,176	12/01/98	Weier	623	1	
	5,893,369	04/13/99	LeMole	606	184	
	5,931,842	08/03/99	Goldsteen et al.	606	108	
	5,941,908	08/24/99	Goldsteen et al.	623	1.23	
	5,957,973	09/28/99	Quiachon et al.	623	1	
	5,972,017	10/26/99	Berg et al.	606	198	
	5,976,159	11/02/99	Bolduc et al.	606	142	
	5,976,178	11/02/99	Goldsteen et al.	623	1	
	5,993,468	11/30/99	Rygaard	606	151	
	6,001,124	12/14/99	Bachinski	623	23.64	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicants.

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 293/008 Cont. 5	APPLICATION NO. Not yet available
		APPLICANTS Thomas J. Bachinski et al.	CONFIRMATION NO. Not yet available
		FILING DATE Concurrently Herewith	GROUP ART UNIT Not yet available

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,024,763	02/15/00	Lenker et al.	623	1	
	6,036,702	03/14/00	Bachinski et al.	606	153	
	6,068,654	05/30/00	Berg et al.	623	23.64	
	6,074,416	06/13/00	Berg et al.	623	1.36	
	6,113,612	09/05/00	Swanson et al.	623	1.15	
	6,120,432	09/19/00	Sullivan et al.	600	36	
	6,136,007	10/24/00	Goldsteen et al.	606	108	
	6,152,937	11/28/00	Peterson et al.	606	153	
	6,152,945	11/28/00	Bachinski et al.	606	198	
	6,193,734	02/27/01	Bolduc et al.	606	153	
	6,206,912	03/27/01	Goldsteen et al.	623	1.23	
	6,235,054	05/22/01	Berg et al.	623	1.36	
	6,293,965	09/25/01	Berg et al.	623	1.13	
	6,302,905	10/16/01	Goldsteen et al.	623	1.1	
	6,309,416	10/30/01	Swanson et al.	623	1.23	
	6,391,036	05/21/02	Berg et al.	606	151	
	6,440,163	08/27/02	Swanson et al.	623	1.23	
	6,451,033	09/17/02	Berg et al.	606	153	
	6,451,048	09/17/02	Berg et al.	623	1.13	
	6,475,222	11/05/02	Berg et al.	606	108	
	6,508,252	01/21/03	Berg et al.	128	898	
	6,508,822	01/21/03	Peterson et al.	606	153	
	6,511,491	01/28/03	Grudem et al.	606	153	
	6,514,196	02/04/03	Sullivan et al.	600	36	
	6,533,812	03/18/03	Swanson et al.	623	1.23	
	6,599,303	07/29/03	Peterson et al.	606	153	
	6,602,263	08/05/03	Swanson et al.	606	153	
	2001/0010006 A1	07/26/01	Bachinski et al.	606	153	
	2002/0087046 A1	07/04/02	Sullivan et al.	600	36	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicants.

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 293/008 Cont. 5	APPLICATION NO. Not yet available
		APPLICANTS Thomas J. Bachinski et al.	CONFIRMATION NO. Not yet available
		FILING DATE Concurrently Herewith	GROUP ART UNIT Not yet available

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0087181 A1	07/04/02	Goldsteen et al.	606	185	
	2002/0091398 A1	07/11/02	Galdonik et al.	606	153	
	2002/0108621A1	08/15/02	Berg et al.	128	898	
	2002/0169466 A1	11/14/02	Peterson et al.	606	153	
	2002/0183769 A1	12/05/02	Swanson et al.	606	153	
	2002/0151913 A1	10/17/02	Berg et al.	606	153	
	2002/0188302 A1	12/12/02	Berg et al.	606	108	
	2003/0083679 A1	05/01/03	Grudem et al.	606	155	
	2003/0109887 A1	06/12/03	Galdonik et al.	606	108	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	AU 670,239 B2	01/06/94	AU	A61F	2/06		
	EP 0 539 237 A1	04/28/93	EPO	A61F	2/06		
	EP 0 637 454 A1	02/08/95	EPO	A61M	25/10		
	EP 0 680 734 A2	11/08/95	EPO	A61F	2/06		
	EP 0 684 022 A2	11/29/95	EPO	A61F	2/06		
	EP 0 701 800 A1	03/20/96	EPO	A61F	2/06		
	EP 0 712 614 A1	05/22/96	EPO	A61F	2/06		
	GB 489 316 A	07/25/38	GB	N/A	N/A		
	GB 2 269 104 A	02/02/94	GB	A61F	2/06		
	WO 89/08433 A1	09/21/89	PCT	A61F	2/04		
	WO 93/00868 A1	01/21/93	PCT	A61F	2/06		
	WO 93/20757 A2	10/28/93	PCT	A61B	17/11		
	WO 94/01056 A1	01/20/94	PCT	A61F	2/04		
	WO 95/14442 A1	06/01/95	PCT	A61F	2/02		
	WO 95/21592 A1	08/17/95	PCT	A61F	2/06		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicants.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	ATTY. DOCKET NO. 293/008 Cont. 5	APPLICATION NO. Not yet available
		APPLICANTS Thomas J. Bachinski et al.	CONFIRMATION NO. Not yet available
		FILING DATE Concurrently Herewith	GROUP ART UNIT Not yet available

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 96/14808 A1	05/23/96	PCT	A61F	2/02		
	WO 96/18361 A1	06/20/96	PCT	A61F	2/06		
	WO 96/22745 A1	08/01/96	PCT	A61F	2/06		
	WO 96/25897 A2	08/29/96	PCT	A61F	2/06		
	WO 97/13463 A1	04/17/97	PCT	A61B	17/00		
	WO 97/13471 A1	04/17/97	PCT	A61B	19/00		
	WO 99/62408	12/09/99	PCT	A61B	17/08		
	WO 99/62415	12/09/99	PCT	A61B	17/56		
	WO 00/56223	09/28/00	PCT	A61B	17/00		
	WO 00/56226	09/28/00	PCT	A61B	17/04		
	WO 00/56227	09/28/00	PCT	A61B	17/08		
	WO 00/56228	09/28/00	PCT	A61B	17/08		
	WO 01/41623	06/14/01	PCT	A61B			
	WO 01/41624	06/14/01	PCT	A61B			
	WO 01/70090	09/27/01	PCT	A61B			
	WO 01/70091	09/27/01	PCT	A61B			
	WO 01/70118	09/27/01	PCT	A61B	17/04		
	WO 01/70119	09/27/01	PCT	A61B	17/04		
	WO 02/30172	04/18/02	PCT				

All references have been considered.

Examiner

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicants.